

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

DUSTIN THOMAS HOUSE DARDEN

Plaintiff,

v.

C.M.S., *et al.*,

Defendants.

Case No. 3:23-cv-00153-SLG

**ORDER RE MOTION FOR SUBPOENA DUCES TECUM AND MOTION TO  
EXPEDITE CONSIDERATION**

Plaintiff Thomas Darden initiated this action on July 7, 2023. He has paid the filing fee.

On July 14, 2023, Plaintiff filed two motions: at Docket 3, a *Motion for Subpoena Duces Tecum* and at Docket 4, a *Motion to Expedite Consideration*.

The motion for expedited consideration is DENIED. Plaintiff has failed to demonstrate that an emergency justifying expedited relief from the Court is warranted.

The motion for subpoena duces tecum is also DENIED. Discovery in this matter is premature. Absent a court order, “[a] party may not seek discovery from any source before the parties have conferred as required by [Federal Rule of Civil Procedure] 26(f).” Plaintiff has not demonstrated why he immediately needs records from September 4, 2021 prior to the issuance of summons and service of the summons and complaint in this action. Plaintiff’s asserted need for the records at

this time—so as to seek relief to protect fairgoers in August 2023—is without basis. A self-represented litigant may represent only his own interests.<sup>1</sup> A non-attorney has “no authority to appear as an attorney for others than himself.”<sup>2</sup> Plaintiff cannot bring claims on behalf of future fairgoers. Plaintiff must focus solely on the actions of the defendants toward Plaintiff personally.

For the foregoing reasons, the motions at Dockets 3 and 4 are each DENIED.

DATED this 19th day of July 2023, at Anchorage, Alaska.

/s/ Sharon L. Gleason  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> 28 U.S.C. § 1654.

<sup>2</sup> See *Simon v. Hartford Life, Inc.*, 546 F.3d 661, 664 (9<sup>th</sup> Cir. 2008) (non-attorney plaintiff may not attempt to pursue claim on behalf of others in a representative capacity).